

REMARKS/ARGUMENTS

In view of the foregoing amendments and following remarks, favorable reconsideration of the claims is respectfully requested.

Status of the Claims

Claims 1, 6 – 14, and 20 – 28 are currently pending.

Claim 1 has been amended to clarify that the flat portion and trough of the bottom portion extend from said one end to said other end. (See, for example, FIG. 1)

Prior Art Rejections

Claims 1, 7 – 9, 11 – 12 and 26 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,112,925 to Nahill et al. Claims 1, 6, 12 – 14, 20 – 25, and 27 – 28 have been rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Design Patent No. 479690 to DeGroff. and U.S. Patent No. 5,514,392 to Garwood. Claims 10 has been rejected under 35 U.S.C. § 103(a) as being obvious over DeGroff, Garwood, and U.S. Patent No. 4,112,124 to Jarvis.

As noted above, Claim 1 has been amended to clarify that the flat portion and trough of the bottom portion extend from one end to the opposite end of the container. In contrast, none of the cited references disclose or suggest such a container having a flat portion and trough that extend from opposite ends of the container. Accordingly, the claimed invention is patentable over the cited references, whether considered individually or in combination.

In view of the foregoing amendments and remarks, it is respectfully submitted that the rejections under 35 U.S.C. § 102(b) and 103(a) have been overcome, and that the claims are in condition for immediate allowance.

CONCLUSIONS

In view of the remarks presented above, Applicant submits that all of the pending claims are allowable and the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination

Appl. No.: 10/817,303
Amdt. dated 07/02/2008
Reply to Office Action of 04/08/2008

of the present application, the Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Timothy J. Balts
Registration No. 51,429

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111
LEGAL02/30773621v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON July 2, 2008.